

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

CARLOS PALMA

CIVIL ACTION NO. 6:22-CV-01295

VERSUS

JUDGE DRELL

KILOLO KIJAKAZI

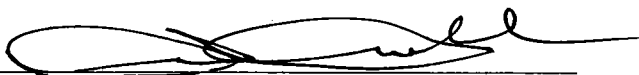
MAGISTRATE JUDGE DAVID J. AYO

JUDGMENT

This matter was referred to United States Magistrate Judge David J. Ayo for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the Commissioner's decision is REVERSED and REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g)¹ for additional proceedings consistent with the views expressed herein. More particularly, the ALJ shall consider the evidence the medical source statement from Dr. Ronald Miller in determining Claimant's eligibility for disability benefits.

THUS, DONE AND SIGNED in chambers on this 10th day of October 2023.


DEE D. DRELL, SENIOR JUDGE
UNITED STATES DISTRICT COURT

¹ A fourth sentence remand constitutes a final judgment that triggers the filing period for an EAJA fee application. *Shalala v. Schaeffer*, 509 U.S. 292 (1993); *Freeman v. Shalala*, 2 F.3d 552, 553 (5th Cir. 1993).